

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:

10/020,427

Applicant:

M. Oshima et al.

Filed:

December 7, 2001

Title:

MARK FORMING APPARATUS, METHOD OF FORMING LASER

MARK ON OPTICAL DISK, REPRODUCING APPARATUS,

OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK

TC/A.U.:

2134

Confirmation:

9007

Examiner:

P. E. Callahan

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

MTS-520US3 PATENT

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

1) JP 01-243237

Reference 1) includes an English language abstract and was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this English language search report, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP 609 IIIA(3), second paragraph.

A copy of Reference US 5,050,150 was cited in an Information Disclosure Statement filed December 7, 2001, and a copy of Reference EP 0549488 was cited in an Information Disclosure Statement filed May 23, 2003.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any

PATENT MTS-520US3

communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Daniel N. Calde Jack J. Jankovitz, Reg. Attorneys for Applicants

JJJ/fp

Enclosures:

PTO Form 1449 (2 sheets)

(#2) References

European Search Report

Transmittal Form

Dated:

October 20, 2004

P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700

authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

The Commissioner for Patents is hereby I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 20, 2004

PTO/SB/08A (AW 4/25/03) (04-03)
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SHEET 1 of 2

Complete if Known				
Application Number	10/020,427			
Filing Date	December 7, 2001			
First Named Inventor	Mitsuaki OSHIMA, et al.			
Art Unit	2134			
Examiner Name	Paul E. Callahan			
Attorney Docket No.	MTS-520US3			

U.S. PATENT DOCUMENTS					
_		Document Number	B 1 11 - 11 - 1 - 1 - 1	No. of Pakeabas as	Pages, Columns, Lines, Where
Examiner Initials*	Cite No. ¹	Number - Kind Code ^{2 (if known)}	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear

_		Foreign Patent Document	Bublication Bata	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No.1	Country Code ³ - Number ⁴ - Kind Code ^{5 (If known)}	Publication Date (MM-DD-YYYY)	Applicant of Cited Document	Passages or Relevant Figures Appear	Τ6
		JP 01-243237 A (with English abstract)	09/27/89	RICOH CO LTD		
		EP 0 520 619 A	12/30/92	PIONEER ELECTRONIC CORP		

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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'See Kind Codes of USPTO Patent Documents at www.uspto.gog/ or MPEP 901.04.

'Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

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The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b (08-03) (AW 10/2003)

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SHEET 2 of 2

Complete if Known				
Application Number	10/020,427			
Filing Date	December 7, 2001			
First Named Inventor	Mitsuaki OSHIMA, et al.			
Art Unit	2134			
Examiner Name	Paul E. Callahan			
Attorney Docket No.	MTS-520US3			

		NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		European Search Report for EP 04020082, dated October 6, 2004.	
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Examiner Signature	<u> </u>	Date Considered	<u> </u>

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	TRANSPORT		Application Number	10/020	0,427			
	TRANSMITTAL		Filing Date	Decem	ber 7,	2001		
	FORM		First Named Inventor	M. Oshima et al.				
(to be	used for all correspondence after initial	l filing)	Art Unit	2134				
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Total Nun	nber of Pages in This Submission 5 -	+ 2 refs.+	Attorney Docket No.	MTS-52	20US3	·		
	<u> </u>	NCLOSURE	ES (Check all that	apply)				
Amend Amend Extens Expres Inform Certific Respo	ransmittal Form Fee Attached dment/Reply After Final Affidavits/Declaration(s) sion of Time Request as Abandonment Request ation Disclosure Statement ed Copy of Priority Document(s) onse to Missing Parts/ plete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Petitio Petitio Provis Power Chang Addres Termin Reque	sing-related Papers on on to Convert to a cional Application of Attorney, Revocation of Correspondence			After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): Return postcard 2 references PTO Form 1449 European Search Report		
	SIGNATURI	E OF APPLIC	ANT, ATTORNEY	OR AGE	NT			
Firm or Individual Name	Jack J. Jankovi tz	D	Registration No. (Atto	mey/Age	ent)	42,690		
Signature		Service Contraction		\leftarrow				

October 20, 2004

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

Fran Petrillo printed name Signature

Date

Date

October 20, 2004

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